UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

GEORGE GUINDON, et al Plaintiffs, v. AMERICAN FOAM CORPORATION, et al Defendants.	)	Civ. No. 03-335-L

NOTICE OF ELECTION AS TO MOTION TO DISMISS

Pursuant to Paragraph 5 of this Court's Consent Order Pertaining to Additional Amendments to Master Complaint, Essex Insurance Company ("Essex") hereby gives notice that it elects to invoke the application of the Court's previous ruling on its Motion to Dismiss as to all claims by all plaintiffs named in the Third Amended Complaint and all adoptions thereof.

Respectfully submitted,

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Dated: February 27, 2006

CERTIFICATION

I hereby certify that an exact copy of the within document was electronically mailed to the following individuals on this 27 day of FEBRUARY, 2006.

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